

From: Email [REDACTED]
To: Email [REDACTED]
Subject: FW: FOUO - RE: Request to Transfer [REDACTED] to U.S. or Germany
Date: Wednesday, January 15, 2020 3:16:00 PM
Attachments: Baby L. [REDACTED]
Baby L. [REDACTED]
Baby L. [REDACTED]
Baby L. - Custody Order.pdf
Baby L. - Proof of Primary Care Manager [REDACTED].pdf
Captured Enemy Material of Foreign Fighters.pdf
Baby L. - Profile.JPG
Baby L. - Front.JPG

Good Afternoon Ma'am,

I really appreciate the quick response and your assistance!

I am primarily seeking assistance to determine if there is authority within the [REDACTED] to transfer Baby L. to a safe location based on her best interests and in exercising her patient rights as a [REDACTED] and patient in the [REDACTED]. I am already working on resolving collateral issues regarding her unique circumstances with the State Department through other channels, so I would prefer to keep this issue inside [REDACTED] channels until that question is answered, and I can functionally figure out any collateral hoops I have to jump through if it is determined it is possible to have her moved. If there is authority to achieve this objective, I would greatly appreciate being directed to that person and assisted in submitting the request I have outlined below.

To answer the questions from your email, attached are the documents showing Baby L. [REDACTED] has a copy of the court order and Baby L. record of foreign birth), as well as her [REDACTED] her [REDACTED] letter, and proof of her Primary Care Manager at [REDACTED] Children's Hospital. I have also attached a copy of the custody order, distro of which I would ask be kept to a need to know basis, as the case was sealed because of Baby L. unique origin as an [REDACTED] orphan, and her minor status.

At this point, I am focused on getting Baby L. to a safe location, and to the care she needs to live a normal life - so legal guardianship is sufficient to accomplish that at the moment. Thus, I am operating under that paradigm and not adoption.

In regards to diplomatic hoops, the Embassy has flip flopped back and forth on Baby L. status ever since Vice President Pence's Office reached out and asked [REDACTED] and the Embassy to bring Baby L. to the U.S.

- The last information I received was that [REDACTED] intended to sign a waiver of jurisdiction over Baby L. after his election results were confirmed, because the evidence supports the fact that she is not an [REDACTED], the [REDACTED] can't care for Baby L. in their system (I was personally in that meeting), and Baby L. would benefit from access to medical care [REDACTED]

It's quite a long/complex story that has been developing since October when the VP reached out and intervened on Baby L. behalf, and I would be happy to meet with anyone in the DC area or over the phone to explain it in more detail, but I've tried to summarize the essential facts below:

BLUFF: All U.S. intelligence indicates that Baby L. is a stateless minor in the Custody of the United States, recovered with significant wounds from a district that is not under the control of the [REDACTED] government.

There is a declassified summary of a portion of U.S. intelligence relating to the mission where Baby L. was recovered. Some of the key points are:

(FOUO)- [REDACTED] Baby L. [REDACTED]
[REDACTED]

[REDACTED]

(FOUO) - Baby L. is [REDACTED]

[REDACTED]

See the attached unclassified pictures of the foreign fighters that were living in the compounds where Baby L. was recovered, and recent pictures of Baby L. where you can see her [REDACTED] and [REDACTED] more prominently. From reading the [REDACTED]

[REDACTED] Baby L. [REDACTED]

(FOUO) - [REDACTED]

(FOUO) - [REDACTED]

(FOUO) - [REDACTED] Baby L. [REDACTED]

(FOUO) - [REDACTED] Baby L. [REDACTED]

[REDACTED] Baby L. [REDACTED]

[REDACTED] Baby L. [REDACTED]

I personally read every page of the 150+ classified documents regarding the operation where Baby L. was recovered while deployed. This is what led me to the conclusion that she was a non-[REDACTED] stateless minor (which was also what the unit on scene thought), and consequently should not be exposed to child trafficking in the [REDACTED] system by U.S. forces. I am more than happy to forward any/all of these documents to someone with SIPR access and a Secret clearance. The detainee's interviews are particularly enlightening as to Baby L. origins.

Based on Baby L. [REDACTED] old estimated age at the time of recovery, [REDACTED]

[REDACTED] and that the area where she was recovered was not under the control of any government, the Judge in the attached court order found that Baby L. was properly classified as a stateless minor.

Because no jurisdiction could demonstrate jurisdiction/residency in regards to Baby L. under the standards outlined in the Uniform Child Custody and Jurisdiction Enforcement Act (UCCJEA), the Judge found proper jurisdiction due to my having acted in loco parentis by seeking to keep her safe, and securing long-term medical treatment on her behalf. Under the UCCJEA, any party to a custody petition who has connections to the jurisdiction where the petition is submitted can pursue legal custody, and the UCCJEA treats a foreign country as another U.S. State for purposes of determining jurisdiction/residency.

The simplest way to illustrate that "stateless minor" is the proper classification under the circumstances is to swap out the likely nationality of Baby L. parents for [REDACTED] fighters from France, Germany, or Britain - the U.S. wouldn't be asking [REDACTED] for a waiver of jurisdiction because [REDACTED] wouldn't have de facto or de jure jurisdiction over an injured foreign minor recovered by U.S. forces in an area they don't control. [REDACTED] shouldn't receive a different treatment because she is from a more obscure/non-European origin. The point being that the waiver in [REDACTED] case relates more to relations with the [REDACTED] than an actual legal requirement to achieve jurisdiction over a stateless little girl who is in the custody of the U.S. Government. Regardless, my primary concern is her health and safety, and the [REDACTED]'s seem unable to provide for those concerns irrespective of how [REDACTED] is classified. For a more detailed overview of the [REDACTED] inability to ensure the safety and welfare of Baby L. See the links below to the most recent State Department and Department of Labor studies that have found [REDACTED] and that orphanages run by the [REDACTED] government have [REDACTED] (DoS, 2019 p.59, DoL 2018, p. 103).

EXHIBIT N

The facts in U.S. possession indicate Baby L. is a stateless minor in U.S. custody. But for my having obtained custody under U.S. law, and providing her a legal identity and access to the care she needs to fix her [REDACTED] and regularly screen her as recommended by the Comprehensive Health Assessment and U.S. Treatment plan I sent you, she would most accurately be described as a de facto refugee.

Under U.S. law, I've been appointed Baby L. guardian and she has been approved as a [REDACTED]. For a visa, I have coordinated with the Director of U.S. Citizenship and Immigration Services to arrange a Parole Visa for Baby L. via the Custom and Border Protection personnel at [REDACTED] (where she will arrive in the U.S. once medically evacuated). It is objectively in Baby L. best interest to not be exposed to the dangers of living in a military hospital [REDACTED], or the abuse, neglect, and likely exposure to being sexually trafficked she will face if she were to be discharged in [REDACTED]

Under the circumstances, I believe that it is objectively in Baby L. best interest to be evacuated to the U.S. or Germany given her medical needs, the recent attack that damaged the [REDACTED], and the recent attacks on U.S. installations by Iran which could threaten [REDACTED] where Baby L. is currently being treated if hostilities escalate. In addition, the Doctors at [REDACTED] have expressed concern over the risk of infection for a young child living in a military hospital, and she is now close to being in a [REDACTED] and has no place to properly develop at [REDACTED]. Finally, my understanding is that a [REDACTED] is effective before a child turns [REDACTED] while the [REDACTED] - since 4+ months have passed and she has a limited window, I would like her to have access to advanced pediatric care so she can lead a normal life and not be disfigured.

I am in the D.C. area and would be happy to meet with any DHS legal staff or [REDACTED] for follow on questions. I can also do a phone conference if that would be more convenient. This is a complex issue and I have a lot of documents regarding her origin and legal status.

Ultimately, I'd like to exercise Baby L. rights as a patient under DoD 6000.14 to 1) be treated in a safe environment, 2) have access to specialized pediatric care which I have arranged with a pediatrician who has experience in screening international children, and 3) choose her provider of choice. [REDACTED] specialty and [REDACTED] Children's hospital's Pediatric Imaging and Pediatric Neurology Clinics are attractive given Baby L. exposure to multiple explosions at a tender age, and the risk of [REDACTED] assessed by her military doctors.

At this point, I believe the [REDACTED] is the best way to route my request because as medical professionals they are primarily concerned with the best interest of the patient, followed by collateral concerns. To date, "the best interest of the child" has not been a factor in decisions made regarding her fate outside of the medical community - which is why I sought out legal custody of Baby L. in the first place.

Thus, if I could get assistance in submitting this request and supporting documentation to whoever has the authority to transfer Baby L. to the U.S. or Germany within the [REDACTED], I would greatly appreciate it. If that is the [REDACTED], I would request assistance in routing my request to that person. I'm happy to make the request in person, as I can answer any questions about this unique situation. Personally, I believe American values dictate that Baby L. best interests be placed ahead of every other factor in her unique situation. It took ten years for the State Department and U.S. Forces in [REDACTED] to speak out against systemic [REDACTED] practice in the name of not offending our [REDACTED] partners. I have no intention of letting Baby L. suffer a similarly horrific fate of abuse and neglect from the same misguided priorities - and I know that her awesome medical staff at [REDACTED] who have cared for her over the last few months feel the same way.

Thank you!

Department of State (2019). [REDACTED]:
[REDACTED]

Department of Labor (2018). [REDACTED]:
[REDACTED]

Department of State (2018).

United Nations Human Rights Council (UNHCR) (2018).

DOE 1
DOE 1

Cell: DOE 1

For we must all appear before the judgment seat of Christ." 2 Corinthians 5:10

From: Email [REDACTED] USN NAVMED WEST SAN CA (USA) <Email [REDACTED]>
Sent: Tuesday, January 14, 2020 4:36 PM
To: DOE 1 [REDACTED] <DOE 1 [REDACTED]>
Subject: RE: Request to Transfer [REDACTED] to U.S. or Germany

Have had a flurry of calls inquiring about how we might be able to assist you and [REDACTED]. One question, do you by chance have any documentation showing her [REDACTED] status and your guardianship?

I was also wondering what steps you have taken so far to get her moved and what response you have received. I also wondered if there were diplomatic

EXHIBIT N

is just beautiful and I hope she can get to you soon.

-----Original Message-----

Good Morning Ma'am,

Attached is the Treatment plan that Doctor [REDACTED] has proposed based on the Comprehensive Health Assessment that the Military Treatment Facility prepared. The BLUF is that she suffered a [REDACTED]

I would be happy to meet with anyone who has follow on questions - my primary concern is for Baby L. to be safe, and get the continued access to the specialized medical care she needs to fully recover and lead a normal life. I'd appreciate it if this information was only used for people who need to know it to address my request. I'm within driving distance of D.C., and I would be happy to travel to [REDACTED] if I need to make the request via [REDACTED]. I understand that there may be competing interest given her very unique situation, but I intend to ensure that this precious little girl's safety and welfare takes precedence under any circumstance.

_____ ,

Email

[REDACTED]: DOE 1

Comm: DOE 1
Cell: DOE 1

"Live for an Audience of one"

For we must all appear before the judgment seat of Christ." 2 Corinthians
5:10